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EXAMINER

HSU, AMY R

ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/534,553

Applicant(s)

SOUSA, DAVID

Examiner

Amy Hsu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 13 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. **Claim 13** is objected to because of the following informalities: Claim 13 recites, "a wall section providing enough area to mount **said** wireless microphone receiver", and also "means for attaching said adapter bracket to **said** bracket system. However since Claim 13 is an independent claim, the wireless microphone receiver and the bracket system have not been introduced and cannot be referred to as "said". Further, the bracket system and all associated limitations recited in Claim 1 are not connected or related to "said bracket system" of Claim 13. **Claim 15** is objected for the same reason. All instances of that cited above will be interpreted as "a" rather than "said" for prosecution purposes. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1-4** are rejected under 35 U.S.C. 102(e) as being anticipated by McTeer (US 6601999).

Regarding **Claim 1**, McTeer teaches a bracket system for mounting wireless microphone receivers and other accessories to a video camera or camcorder wherein said bracket system (*Fig. 1*) comprises: a vertical portion attached to a platform portion ("*vertical midsection*", *reference number 62 extends from platform, reference number 30 as described in Col 2 Lines 56-57*); said platform portion (*reference number 30*) containing means for attaching said video camera (*Fig. 8*); said platform portion also containing a means of attaching a camera tripod while said video camera is attached (*Col 2 Lines 27-31*); said vertical portion containing means for attaching said wireless microphone receivers and accessories (*Col 2 Lines 61-64, and "accessories" defined in Col 2 Lines 13-17 including "wireless microphone receiver"*); whereby a person can easily operate said video camera and said wireless microphone receivers, with or without a camera tripod attached (*without a tripod attached shown in Fig. 1, and Col 2 Lines 27-31 with a tripod attached*).

Regarding **Claim 2**, McTeer teaches the bracket system of claim 1, wherein said means for attaching said video camera includes a mounting screw protruding upward through said platform portion, able to attach to existing tripod mounting holes on the underside of said video camera (*Fig. 4 and Fig. 7 reference number 32*).

Regarding **Claim 3**, McTeer teaches the bracket system of claim 2, wherein said means for attaching said video camera further includes an alignment pin protruding upward from said platform portion, positioned to attach to existing tripod mounting holes on the underside of said video camera; whereby said video camera would resist rotating on said platform portion (*Fig. 7 shows an alignment pin protruding through the platform, 30, and attached to the underside of the camera to resist rotating*).

Regarding **Claim 4**, McTeer teaches the bracket system of claim 1, wherein said means for attaching said camera tripod (*Col 2 Lines 27-30*) comprises a pattern of mounting holes (*Fig. 3 reference number 36*), at least one of which being threaded (*Col 2 Line 26*), located on the underside of said platform section (*Fig. 7 reference number 32*).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 5-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over McTeer (US 6601999).

Regarding **Claim 5**, McTeer teaches the bracket system of claim 1, wherein said platform portion includes a grommet (*Fig. 5 reference number 26 , Col 2 Lines 52-55 teaches it is made of a "resilient gripping material")* which helps support said bracket system in an upright position when set on a level surface (*as seen in Fig. 5*). McTeer does not specifically teach that the grommet is rubber. However official notice is taken that the gripping material can be rubber and it would have been obvious to one of ordinary skill in the art at the time of the invention to use a rubber as the gripping material taught by McTeer because it will prevent unintentional movement.

Regarding **Claim 6**, McTeer teaches the bracket system of claim 1, wherein said vertical portion is located toward the right front area of said platform portion, positioning said wireless microphone receivers on the right side of said video camera, forward of said video camera's existing tripod mounting holes, as seen from the camera operator's stand point. Fig. 4 and Fig. 7 show that from the operator's point of view, the vertical portion, reference number 61, is to one side of the camera, forward of the tripod holes, 36. Fig. 2 shows that the parts can be easily assembled and unassembled by the user. Official notice is taken that the vertical portion pictured on the left with respect to the operator's viewpoint in Fig. 4, can be assembled on either side including the right side.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of McTeer to interchange the left and right side in order to accommodate the user's preference (e.g. right handed or left handed).

Regarding **Claim 7**, McTeer teaches the bracket system of claim 6, wherein said means for attaching said video camera includes a mounting screw protruding upward through said platform portion, able to attach to existing tripod mounting holes on the underside of said video camera (*Fig. 4 and Fig. 7 reference number 32*).

Regarding **Claim 8**, McTeer teaches the bracket system of claim 7, wherein said means for attaching said video camera further includes an alignment pin protruding upward from said platform portion, positioned to attach to existing tripod mounting holes on the underside of said video camera; whereby said video camera would resist rotating on said platform portion (*Fig. 7 shows an alignment pin protruding through the platform, 30, and attached to the underside of the camera to resist rotating*).

Regarding **Claim 9**, McTeer teaches the bracket system of claim 8, wherein said means for attaching said camera tripod (*Col 2 Lines 27-30*) comprises a pattern of mounting holes (*Fig. 3 reference number 36*), at least one of which being threaded (*Col 2 Line 26*), located on the underside of said platform section (*Fig. 7 reference number 32*).

Claims 10 and 12 recite limitations similar to that of Claim 5 and are therefore rejected for the same rationale as above.

Regarding **Claim 11**, McTeer teaches the bracket system of claim 6, wherein said means for attaching said camera tripod (*Col 2 Lines 27-30*) comprises a pattern of mounting holes (*Fig. 3 reference number 36*), at least one of which being threaded (*Col 2 Line 26*), located on the underside of said platform section (*Fig. 7 reference number 32*).

Regarding **Claim 13**, McTeer teaches an adapter bracket (*Fig. 1*), comprising; a wall section providing enough area to mount said wireless microphone receiver (*Fig. 1 reference number 10 is a wall section on which is mounted a wireless microphone receiver as taught in Col 2 Lines 11-18*); a means for attaching said wireless microphone receiver. *Col 3 Lines 24-26* teaches that the accessories, including the wireless microphone receiver, can be attached by method of attaching strip of Velcro to clip on the accessories. However, McTeer does not specifically teach a hook and loop strap system. Official notice is taken that a strip of Velcro used to clip on accessories to the wall section of the bracket can be considered a hook and loop strap system because a strip of Velcro is a strap and the entity within the Velcro is the hook. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of McTeer, which uses a strip of Velcro to attach accessories, and instead attach the accessories by a hook and loop strap system because this

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would allow for ease of disengagement of the accessories from the bracket in the same way that Velcro would allow. McTeer further teaches a means for attaching said adapter bracket to a bracket system as shown in Fig. 4.

Regarding **Claim 14**, McTeer teaches the adapter bracket of claim 13, said wall section includes a tab at its base (*Fig. 5 shows the wall, 61, with a tab at the base, 26*). McTeer teaches the use of a resilient gripping material (*Col 2 Lines 52-53*) to add grip and stability in various places within the system. However, McTeer fails to teach resilient pad located such that the hook and loop strap system holds the wireless microphone receiver against the resilient pad to further secure the accessory in place.

Official notice is taken on the fact that the resilient gripping material taught by McTeer can further be placed against the accessory where the hook and loop system holds the two items against one another. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the teaching of McTeer by placing the disclosed resilient gripping material on the wall against the attached microphone receiver where the strap holds it down because this would provide further stability and grip to hold the accessory in place while still making it easily detachable.

6. **Claims 15-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over McTeer (US 6601999) in view of Fukushima (US 6141223).

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Regarding **Claim 15**, McTeer teaches a means for supporting a wireless microphone receiver (*Fig. 1 and Col 2 Lines 11-15*) but is silent on the details of the means of attaching the wireless microphone receiver to the holder. Therefore one of ordinary skill in the art would look to prior art to teach specific means of attaching a device to a holder as addressed below. McTeer also teaches means for attaching the wireless microphone receiver to an adapter bracket as seen in Fig. 1, 16 attached to 10.

Fukushima teaches an adapter box (*Fig. 3B*), for mounting an item. The box has a back section, two side sections, a front section, open on the top (*as seen in Fig. 3B*). Fukushima does not teach the box with partially open on the bottom, but official notice is taken that the bottom can be partially open and it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Fukushima to have a partially open bottom side of the adapter box in order to have more access or contact to the attached device or item. Fukushima also teaches means for securing an item to said back section, said side sections, and said front section (*Fig. 6b Col 2 Lines 40-44*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of McTeer by attaching the disclosed wireless microphone receiver to an adapter bracket by means of an adapter box which holds the microphone receiver in order to provide easy assembly and disassembly for the user and also simple support.

Regarding **Claim 16**, McTeer in view of Fukushima teaches the adapter box of claim 15 with means for securing said wireless microphone receiver. Fukushima further teaches the means comprising a spring system (*Fig. 6b reference number 36 and Col 4 Line 17*), attached such that pressure is applied to the item received by the holder box, forcing said wireless microphone receiver against said back section, said side section, or said front section (*as pictured in Fig. 6a*). It would have been obvious to combine for the same reason as stated above.

Regarding **Claim 17**, McTeer in view of Fukushima teaches the adapter box of claim 16 and Fukushima further teaches said spring system includes at least one spring clip (*Fig. 7b reference number 30*); the top of said spring clip being angled in shape such that once said wireless microphone receiver is mounted, said angled shape prevent said wireless microphone receiver from being removed until pressure from said spring clip is released (*Fig. 7a and 7b shows that when the device is placed in the holder, the clip is compressed in to prevent removal until pressure from the spring clip, 31 which is placing pressure on the spring, 36, is released*). It would have been obvious to combine for the same reason as state above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Watkins (US 6215518) and (US 6445408) teach a video imaging apparatus connected to a headrest with a microphone.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy Hsu whose telephone number is 571-270-3012.

The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARH 10/5/07

Amy Hsu
Examiner
Art Unit 2622



LIN YE
SUPERVISORY PATENT EXAMINER